

Remarks

The Applicant respectfully requests reconsideration of the rejections and that the case pass to issue in light of the amendments above and the remarks below. These amendments include canceling claims 17-37 and adding claims 38-50. Claims 1-16 and 38-50 are now pending. The pending claims include independent claims 1, 42, and 46, which are each separately addressed below.

Independent Claim 1

Independent claim 1 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S.P.N. 5,850,218 to Lajoie in view of U.S.P.A. 2004/00600632 to Russ. The Applicant submits that there is no reason to combine the cited references and that even the improper combination of the references still fails to teach the invention recited in independent claim 1.

Independent claim 1 relates to a method for electronically displaying an on-demand listing guide. The method includes simultaneously displaying episode descriptions for episodes available on-demand. The episode descriptions are displayed within the same screen as a corresponding series title. The episode descriptions can be selected to begin on-demand viewing of the corresponding episode. Importantly, the episode descriptions are displayed without requiring prior user identification of the episodes. In other words, once the desired series is selected, the associated episodes are automatically displayed without relying on a user to identify the episodes for display or to have previously recorded the episodes.

In order for the cited references to properly reject independent claim 1 under 35 U.S.C. § 103(a), the cited references must disclose or teach each element recited in independent claim 1. The cited references fail to disclose displaying episode descriptions without requiring prior user identification of the episodes. Since the cited references fail to disclose this limitation,

the Applicants respectfully submit that the cited references fail to properly reject independent claim 1 under 35 U.S.C. § 103(a).

The Examiner's rejection of the noted claim limitation relies upon the Russ application. The Russ application discloses, at Figure 16, a box 1610 having a series title and an episode synopsis (no episode title is shown). A row 1620 illustrates additional series titles for other episodes that can be viewed from a personal video recorder (PVR). The series titles (not episode titles) shown in row 1620 correspond with episodes previously recorded by a user to the PVR. The Russ application only provides the episode description in box 1610 for a highlighted one of the titles appearing within row 1620. Importantly, the PVR recorded programs that are available for highlighting - namely the titles shown in row 1620 - only appear if the user has previously recorded them to the PVR.

The Applicant submits that the Russ application fails to teach the limitations of claim 1 since the limitations of claim 1 require the episode descriptions to appear without requiring prior user identification of the episodes. The Russ application discloses no other means for identifying the episodes beside a user-based identification scheme. The titles shown in row 1610 of the Russ application only appear if the user has previously recorded or previously set a recording for the corresponding episode. This requires the user to identify the displayed episode at some prior period in time.

Because the Russ application fails to disclose displaying episode descriptions without requiring prior user identification, the Applicant respectfully submits that independent claim 1 and dependent claims 2-16, which depend therefrom, are patentable and nonobvious over the cited references.

Independent Claim 42

Independent claim 42 is a newly added claim and is not yet subject to any of the rejections previously set forth by the Examiner. Independent claim 42 relates to an electronic

programming guide (EPG) application configured to process series information received from a television service provider over a television network used to carry television signals. The series information lists a plurality of series titles and a plurality of episode titles for episodes available on-demand. The EPG provides a user controllable interface that allows a user to browse through and select one of the series titles so that the plurality of episode titles for the selected series titles can be automatically displayed within the EPG.

The displayed episode titles, however, are limited to the episode titles specified within the series information received from the television service provider. The cited references fail to disclose or suggest selecting the displayed episode titles in a manner that does not rely upon a user previously selecting the episodes. As such, the Applicant respectfully submits that independent claim 42 and the claims that depend therefrom are patentable and nonobvious over the cited references.

Independent Claim 46

Independent claim 46 is a newly added independent claim and is not yet subject to any of the rejections previously set forth by the Examiner. Independent claim 46 relates to a method of electronically displaying an on-demand listing guide. The method includes providing a user controllable interface that allows the user to browse through and select one of a plurality available series titles. The method further includes displaying episode descriptions for a plurality of episodes available on-demand for the selected series. The displayed episode descriptions each at least include a title and synopsis for the corresponding episode. Episode titles and synopses are displayed for each episode at the same time.

The Examiner relies upon the Russ application to disclose the display of multiple episode titles within a programming guide, and particularly relies upon the description associated with Figure 16. This figure only displays a single episode synopsis within the block 1610 for a selected one of the episode titles listed within row 1620. Because Figure 16 fails to disclose or suggest displaying episode synopses for multiple episodes at the same time, the Applicants

respectfully submit that the cited references fail to disclose or teach the invention recited in independent claim 46.

Conclusion

In view of the foregoing, the Applicant respectfully submits that each rejection has been fully addressed and that the case is in condition to pass to issue. The Examiner is respectfully requested to pass the case to issue and is invited to contact the undersigned if it would further prosecution of the case to issue.

Please charge any fees or credit any overpayments as a result of the filing of this paper to our Deposit Account No. 02-3978.

Respectfully submitted,

Ty O. Ahmad-Taylor

By /John R. Buser/
John R. Buser
Reg. No. 51,517
Attorney/Agent for Applicant

Date: 02/28/2008

BROOKS KUSHMAN P.C.
1000 Town Center, 22nd Floor
Southfield, MI 48075-1238
Phone: 248-358-4400
Fax: 248-358-3351